

RECEIVED
CENTRAL FAX CENTER

MAR 21 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/652,019 Confirmation No. 9672
Applicant : Gregory R. Gingera
Filed : 08/29/2003
TC/A.U. : 1638
Examiner : Kruse, David H.
Docket No. : 1213EC
Customer No. : 27310
Title : Herbicide Tolerant *Brassica Juncea* and Method of
Production

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**FILING OF AN INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97**

Attached is a list of documents on form PTO-1449.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 CFR §1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

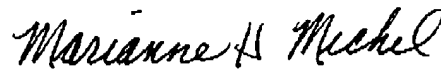
Any foreign patents or non-patent literature documents are attached except those that were supplied in, or cited by the Office during prosecution of, parent Application No. 09/522,798, filed March 10, 2000. Since the benefit of this application was claimed under 35 USC 120, no copies need to be furnished in accordance with 37 CFR §1.98(d); however, copies will be furnished on request.

Serial No. 11/116,736
Attorney Docket No. 1271D

This IDS is being refiled to correct the format of the Form PTO-1449 filed August 29, 2003, and therefore, it is not certain if a fee is due. If a fee is due, please consider this authorization to charge the \$180.00 fee specified in 37 CFR §1.17(p) to Deposit Account 16-1852.

Please charge any additional fees under 37 CFR §1.16 or §1.17 which may be required by this paper, or credit any overpayment to the indicated Deposit Account.

Respectfully submitted,



Marianne H. Michel
Attorney for Applicant(s)
Registration No. 35,286

PIONEER HI-BRED INTERNATIONAL, INC.
Corporate Intellectual Property
7250 N.W. 62nd Avenue
P.O. Box 0552
Johnston, Iowa 50131-0552
Phone: (515) 334-4467
Facsimile: (515) 334-6883

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<i>Application Number</i>	10/652,019
<i>Filing Date</i>	08/29/2003
<i>First Named Inventor</i>	Gregory R. Glingera
<i>Art Unit</i>	1638
<i>Examiner Name</i>	Kruse, David H.
<i>Attorney Docket Number</i>	1213EC

[illegible][illegible]

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

PTO/SB/08B(07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 3

Complete if Known

Application Number	10/652,019
Filing Date	08/29/2003
First Named Inventor	Gregory R. Gingera
Art Unit	1638
Examiner Name	Kruse, David H.
Attorney Docket Number	1213EC

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A5	MIKI et al., Transformation of <i>Brassica napus</i> canola cultivars with <i>Arabidopsis thaliana</i> acetohydroxyacid synthase genes and analysis of herbicide resistance, Theor. and Appl. Genet. (1990) 80:449-458.	
	A6	SWANSON et al., The characterization of herbicide tolerant plants in <i>Brassica napus</i> L. after in vitro selection of microspores and protoplasts, Plant Cell Reports (1988) 7:83-87.	
	A7	RUTLEDGE et al., Molecular characterization and genetic origin of the <i>Brassica napus</i> acetohydroxyacid synthase multigene family, Mol. Gen. Genet. (1991) 229:31-40.	
	A8	QUELLET et al., Members of the acetohydroxyacid synthase multigene family of <i>Brassica napus</i> have divergent patterns of expression, The Plant Journal (1992) 2(3):321-330.	
	A9	HATTORI et al., DNA sequence relationships and origins of acetohydroxy acid synthase genes of <i>Brassica napus</i> , Can. J. Bot. (1992) 70:1957-1963.	
	A1	SWANSON et al., Microspore mutagenesis and selection; Canola plants with field tolerance to the imidazolinones, Theor. Appl. Genet. (1989) 78:525-530.	
	A11	NEWHOUSE et al., Tolerance to imidazolinone Herbicides in Wheat, Plant Physiol. (1992) 100:882-886.	
	A12	SPRAGUE et al., Common Cocklebur (<i>Xanthium strumarium</i>) Resistance to Selected ALS-Inhibiting Herbicides, Weed Technology (1997) 11:241-247.	
	A13	WRIGHT et al., In vitro and whole-plant magnitude and cross-resistance characterization of two imidazolinone-resistant sugarbeet (<i>Beta vulgaris</i>) somatic cell selections, Weed Science (1998) 46:24-29.	
	A14	SEEFELDT et al., Production of herbicide-resistant jointed goatgrass (<i>Aegilops cylindrica</i>) X wheat (<i>Triticum aestivum</i>) hybrids in the field by natural hybridization, Weed Science (1998) 46:632-634.	
	A15	HARMS et al., Herbicide resistance due to amplification of a mutant acetohydroxyacid synthase gene, Mol. Gen. Genet. (1992) 233:427-435.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY

PTO/SB/088(07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/652,019
		Filing Date	08/29/2003
		First Named Inventor	Gregory R. Gingera
		Art Unit	1638
		Examiner Name	Kruse, David H.
		Attorney Docket Number	1213EC
Sheet	3	of	3

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A16	LEE et al., The molecular basis of sulfonylurea herbicide resistance tobacco, The EMBO Journal (1988) 7(5):1241-1248.	
	A17	LOVELL et al., Imidazolinone and Sulfonylurea Resistance in a Biotype of Common Waterhemp, Weed Science (1996) 44:789-794.	
	A18	FOES et al., A kochia (<i>Kochia scoparia</i>) biotype resistant to triazine and ALS-inhibiting herbicides, Weed Science (1999) 47:20-27.	
	A19	BING, D. J., Potential of Gene Transfer Among Oilseed Brassica and Their Weedy Relatives, Master's Thesis Work, University of Saskatchewan College of Graduate Studies and Research (1991)	
	A20	NEWHOUSE et al., Genetic Modification of Crop Research, American Chemical Society Symposium Series Managing Resistance to Agrochemicals (1988) 421:474-481.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY